United Nations S/2002/1197

Security Council

Distr.: General
24 October 2002

Original: English

Letter dated 23 October 2002 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the President of the Security Council

Please find attached the statement made by Bosnia and Herzegovina on the occasion of the agenda item entitled "The situation in Bosnia and Herzegovina" (see annex). Since my delegation was allowed to participate in the meeting but, unfortunately, was not given the floor, you are kindly asked to incorporate the attached statement made by the delegation of Bosnia and Herzegovina.

I would be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Mirza **Kusljugić**
Ambassador
Permanent Representative

02-66140 (E) 301002

Annex to the letter dated 23 October 2002 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the President of the Security Council

Mr. President,
Excellencies, Permanent Representatives to the United Nations,
Members of the Security Council

Thank you for the opportunity to participate in today's discussion on the occasion of the 23rd Report by the High Representative for Implementation of the Peace Agreement to the Secretary-General of the United Nations. The Government of Bosnia and Herzegovina welcomes the Report. I personally would like to welcome HR Lord Paddy Ashdown who has presented his report to the Security Council for the first time and I wish him all success in his future activities. At the same time, I am using this opportunity to thank Special Representative Mr. Jacques Paul Klein for his briefing and for completing successfully his tasks in Bosnia and Herzegovina.

By the end of this year, the UNMIBH will complete its mandate, in our opinion with successful results. We have built State Border Service, together with the international community, which already resumed 100% control of the border of Bosnia and Herzegovina. It is of utmost importance for decreasing and preventing of all sorts of illicit trafficking. UNMIBH has also significantly contributed in police restructuring as well as in establishing mechanisms for inter-entity and interregional police cooperation. It also made a significant contribution in initiating the professional cooperation between the police and the criminal justice system, which has filled an important gap in the rule of law.

The Government of Bosnia and Herzegovina also welcomes smooth and efficient transition from the UNMIBH to the EU Police Mission. We are confident that the experience of the UNMBIH would facilitate to a great extent the mandate of the EUPM focused on further education of police and judiciary officials, as well as on monitoring of the process of institutions restructuring and reforms in the Rule of law sector. It is important for the EUPM to streamline its activities with the BH authorities in this important sector of the peace process implementation.

Mr President,

Bosnia and Herzegovina currently has a judicial system, with a number of judges and prosecutors *per capita* that is above the average, even for the well-developed European countries. However, it failed to produce the results that would match the European standards. The IC, through its specialized programs such as JSAP (Judicial System Assessment Program) and CJAU (Criminal Justice Advisory Unit) that existed within UNMIBH, as well as IJC (Independent Judicial Commission) established by the OHR, has identified the areas of the system where the immediate improvements are required, and the HR has incorporated them in his Program named "Jobs & Justice". Those measures are directed towards, on one side, the reform of the existing institutions and establishment of the new ones (i.e. State Court, High Judicial Council, State Prosecutors office), as well as the accompanying legislative reforms, on the other.

The delegation of BiH would like to extend its firm support to the program of the judicial reforms as conceived by the HR, an at the same time to offer its assurances that the Parliamentary Assembly of BiH, as well as the Entity parliaments, will do their utmost to pass the required legislation that regulates this matter.

The State Criminal Code will, undoubtedly, give the required legal framework to enable the state border service, the Customs, the Anti-terrorist team and the State Prosecutors Office to investigate and prosecute such crimes as trafficking, organized crime, international terrorism and the likes, that epitomize the concern of the entire Earths population. At the same time, the Entity Criminal Codes that are undergoing the reform will enable the cooperation of the police, SBS and prosecutors on all levels, thus connecting the law enforcement agencies to the well-established European system.

Mr. President,

European integrations and regional cooperation are visions and priorities of BH Government. Since the last report of the HR to the Security Council, Bosnia and Herzegovina became a member of the Council of Europe; the conditions from the Road Map by EU are completely fulfilled. The feasibility study and negotiations regarding the Stabilization and Association Agreement have already started, which will facilitate and accelerate the necessary reforms in legislature, virtually in all aspects of life.

Relations with the neighboring countries, the Republic of Croatia and the Federal Republic of Yugoslavia are of extreme importance, because there are many issues that should be resolved on the regional level. We are satisfied with the series of high-level meetings that took place recently. We welcome the first Summit of the Heads of State of Bosnia and Herzegovina, the Federal Republic of Yugoslavia and the Republic of Croatia organized in Sarajevo on July 15, 2002.

We are confident that the problem of return of refugees could be finally solved only through appropriate cooperation and coordination among our three states. We expect that the Annex VII of the Dayton/Paris Peace Agreement will be completely implemented in the near future. So far, the owners repossess almost 70% of properties, abandoned during the war, and the fact that this process has been accelerated in recent months is encouraging.

The issue of criminal activities, illicit trafficking, smuggling and apprehension of indicted war criminals to the ICTY court could be effectively resolved only by full cooperation by the relevant institutions of the all states in the region. The goal of the establishment of the State Border Service is to fight these kinds of organized crime, and at the same time not to obstruct legal exchange of merchandise and travelers.

Mr President,

Main goal in our economic program is to improve the business environment and to establish a single economic space. Besides that, expansion of regional economic cooperation is very important. Diminishing trade barriers between states, boosting exchange of goods and capital, promoting joint projects of benefit for all will provide the environment for more successful performance on the global market. Therefore, we welcome the free trade agreements among states in South-Eastern Europe that have been already signed to promote economic cooperation and to boost growth in the region.

Mr President,

Regarding the recent elections, it should be emphasized that forthcoming implementation of the election results will be based on Constitutional Court decision regarding equal rights of all ethnic groups on the whole territory of Bosnia and Herzegovina. Hence, for the first time in the post-war history on all government levels in the country multiethnic government structures will

be formed. The process itself presents a challenge and if needed an assistance of the IC will be welcomed.

Mr President,

Let me repeat once again priorities of Bosnia and Herzegovina government are same as those elaborated in the report and briefing of High Representative. Therefore we are committed to work in partnership with the IC to achieve set goals.

Mr President

Thank you very much